

IN RE: PETITION FOR ZONING VARIANCE
E/S of Cresson Avenue, 364' N
of NE/S of Windsor Mill Road
(3113 Cresson Avenue)
2nd Election District
2nd Councilmanic District

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 89-50-A

James L. Hong, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 1.3 feet in lieu of the required 7.5 feet for a proposed carport addition, as more particularly described in Petitioner's Exhibit 1.

The Petitioners appeared and testified. There were no Protests.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 107 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of September, 1988 that the Petition for Zoning Variance to permit a side yard setback of 1.3 feet in lieu of the required

7.5 feet for a proposed carport addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

1) The Petitioner may apply for his building permit and be granted same upon receipt of this order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the petitioner would be required to return, and be responsible for returning, said property to its original condition.

JRH:hjs

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Townson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

September 6, 1988



Dennis F. Rasmussen
County Executive

Mr. & Mrs. James L. Hong
3113 Cresson Avenue
Baltimore, Maryland 21207

RE: PETITION FOR ZONING VARIANCE
E/S of Cresson Avenue, 364' N of the NE/S of Windsor Mill Road
(3113 Cresson Avenue)
2nd Election District - 2nd Councilmanic District
Case No. 89-50-A

Dear Mr. & Mrs. Hong:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:hjs

cc: People's Counsel

File

"DUPLICATE" CERTIFICATE OF PUBLICATION

TOWSON, MD. Aug 4, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md, once in each of 1 successive weeks, the first publication appearing on Aug 4, 1988.

THE JEFFERSONIAN,

Publisher

33.75

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Ordinance and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland, on August 9, 1988 at 10:00 A.M.

Re: Petition for Zoning Variance
Case No. 89-50-A
E/S Cresson Avenue, 364' N of NE/S of Windsor Mill Rd.
(3113 Cresson Avenue)
2nd Election District
2nd Councilmanic District
Petitioner(s): James L. Hong, et ux
Hearing Date: Tuesday, August 9, 1988 at 10:00 A.M.
Notice to permit a side yard setback of 1.3 feet in lieu of the required 7.5 feet.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day period. The Zoning Commission will, however, entertain any request for a stay of the issuance of said permit during this period if said permit is shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner
for Baltimore County
8010 Aug. 4

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Townson, Maryland

89-50-A

District 2nd
Post for: Variance
Petitioner: James L. Hong et ux
Location of property: E/S of Cresson Ave. 364' N.E. of Windsor Mill Rd. (3113 Cresson Ave.)
Location of Sign: Along front of 3113 Cresson Avenue
Remarks: See photo
Posted by: J. R. Haines Date of return: August 12-88
Number of Signs: 1

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 89-50-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 107.2.1.1 to permit a sideyard setback of 1.3' in lieu of the required 7.5'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. Need the carport for convenience purposes and to protect the automobile from the weather
2. Carport must be 14' wide because there are steps attached to the side of the house, and an extra 10' is needed for the width of a car.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

JAMES L. HONG
(Type or Print Name)

James L. Hong
Signature

MORRIS E. HONG
(Type or Print Name)

Morris E. Hong
Signature

3113 Cresson Ave. 944-3219
Address Phone No.

Baltimore, Md.
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 15th day of JUNE, 1988.

that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 30th day of Aug, 1988, at 10 o'clock A.M.

ESTIMATED LENGTH OF HEARING 15 MIN.
AVAILABLE FOR HEARING
MOR./TUES. WED. - NEXT TWO MONTHS
OTHER
REVIEWED BY: TMK DATE 6/2/88 (over)

Beginning on the east side of Cresson Avenue 60 feet wide, at the distance of 364 feet north of the northeast side of Windsor Mill Road. Being Part of Lot 19, All of Lot 20, and Part of Lot 21, in the subdivision of Greenfield. Book No. 8, Folio 96. Also known as 3113 Cresson Avenue in the 2nd Election District.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Townson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

Date: Aug. 9, 1988



Dennis F. Rasmussen
County Executive

Re: Petition for Zoning Variance
CASE NUMBER: 89-50-A
E/S Cresson Avenue, 364' N of NE/S of Windsor Mill Road
(3113 Cresson Avenue)
2nd Election District - 2nd Councilmanic District
Petitioner(s): James L. Hong, et ux
HEARING SCHEDULED: TUESDAY, AUGUST 30, 1988 at 10:00 a.m.

Dear Mr. & Mrs. Hong:

Please be advised that \$17.95 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before

BALTIMORE COUNTY, MARYLAND No. 058925
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 8/30/88 ACCOUNT R-01-615-000

AMOUNT \$ 67.95

RECEIVED FROM James L. Hong, et ux

FOR Posting Order 8/30/88/Haing

B 036*****675639-155

VALIDATION OR SIGNATURE OF CASHIER

POSTAGE PAID BY BALTIMORE COUNTY

CERTIFICATE OF PUBLICATION

Pikesville, Md., Aug 3, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHWEST STAR, a weekly newspaper published in Pikesville, Baltimore County, Maryland before the 4th day of August, 1988.

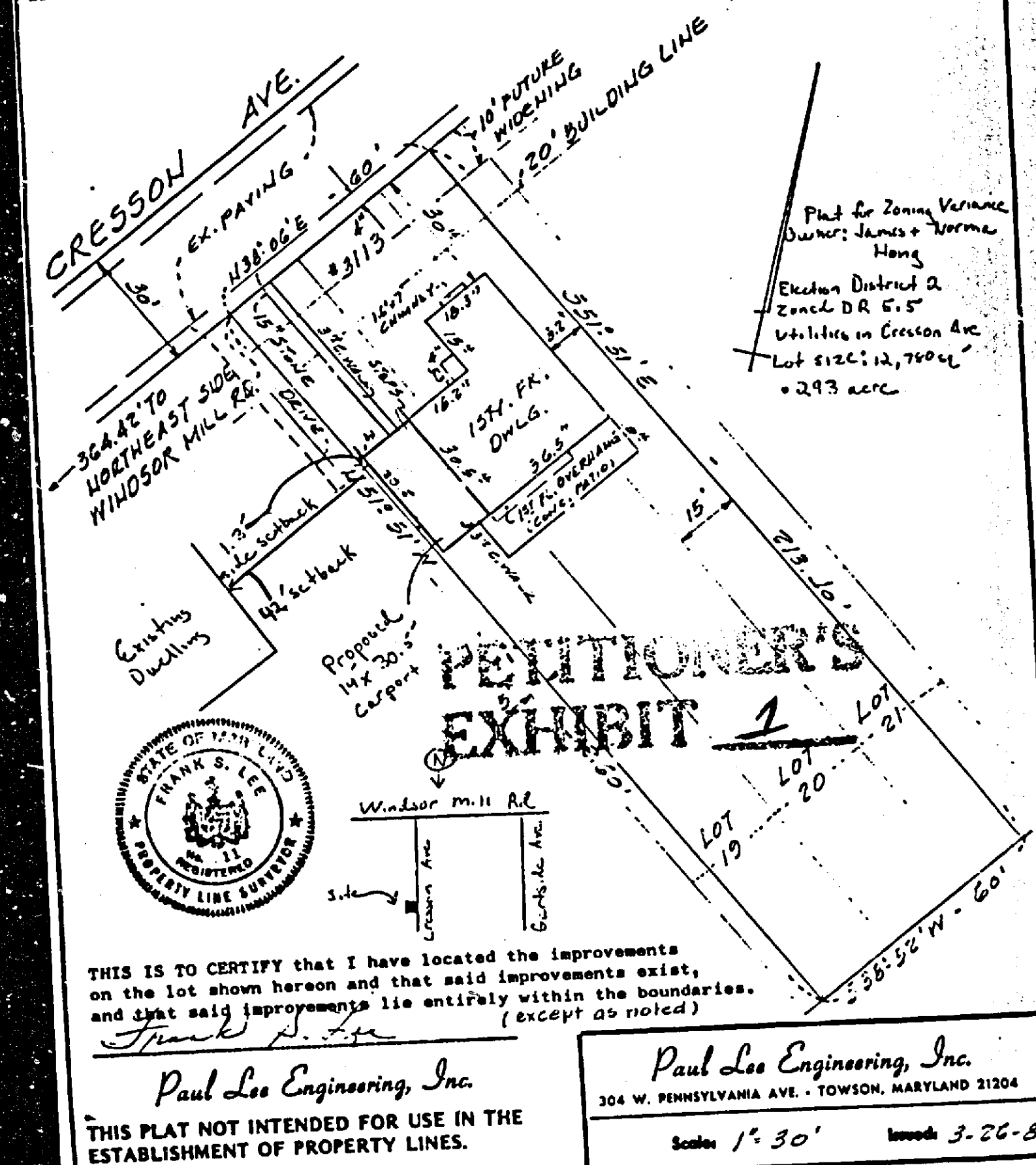
the first publication appearing on the 3rd day of August, 1988,
the second publication appearing on the day of , 19 ,
the third publication appearing on the day of , 19 .

THE NORTHWEST STAR

Manager

Cost of Advertisement \$19.20

Plat showing property known as #3113 Cresson Avenue, Baltimore County, Maryland, also known as Part of Lot 19, all of Lot 20, and part of Lot 21 as shown on the Plat of Greenfield, and as recorded among the Land Records of Baltimore County in Plat Book 8-96, and Liber 5710 Page 877.



Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

JUL 11 1988

NOTICE OF HEARING



The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 89-50-A
E/S Cresson Avenue, 364' N. of N/E side Windsor Mill Road
(3113 Cresson Avenue)
2nd Election District - 2nd Councilmanic
Petitioner(s): James L. Hong, et ux
HEARING SCHEDULED: TUESDAY, AUGUST 30, 1988 at 10:00 a.m.

Variance to permit a sideyard setback of 1.3 feet in lieu of the required 7.5 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: James L. Hong, et ux
File

89-50-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
15th day of June, 1988.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Petitioner: James L. Hong, et ux
Petitioner's Attorney: _____
Received by: James E. Dyer
Chairman, Zoning Plans Advisory Committee

Baltimore County
Fire Department
Towson, Maryland 21204-2536
494-4500

Paul H. Reincke
Chief

June 14, 1988

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204



Re: Property Owner: Hong, et ux

Location: E/S Cresson Avenue, 364' N. of N/E side of Windsor Mill Road

Item No.: 436

Zoning Agenda: Meeting of 6/14/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John F. O'Neil*
Planning Group
Special Inspection Division

Noted and
Approved:

Fire Prevention Bureau

/s/

PETITIONER(S) EXHIBIT (2)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines, Zoning Commissioner
FROM: P. David Fields, Director, Office of Planning and Zoning
SUBJECT: Zoning Petitions #89-35-A, 89-37-A, 89-38-A, 89-39-A, 89-40-A, 89-42-A, 89-44-A, 89-47-A, 89-48-A, 89-49-A, 89-50-A, 89-54-A

There are no comprehensive planning factors requiring comment of the subject petitions.

P. David Fields
P. David Fields, Director
Office of Planning and Zoning

PDF/jat
cc: Shirley Hess, People's Counsel
J. G. Hoswell
Zoning File

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 18, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000

Mr. & Mrs. James L. Hong
3113 Cresson Avenue
Baltimore, Maryland 21207

RE: Item No. 436 - Case No. 89-50-A
Petitioner: James L. Hong, et ux
Petition for Zoning Variance

Dear Mr. & Mrs. Hong:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:dt

RECEIVED
JUL 12 1988

ZONING OFFICE

cc: Mr. & Mrs. James L. Hong
7-12-88

CPS-008